

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/987,650

REMARKS

Prior to entry of the present amendment, claims 1-30 were all the claims pending in the application.

Claims 10-18 are withdrawn. Claims 9 and 22 are allowed.

Claims 26 and 27 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 21 is objected to because of the use of the term “the light adjustment member.”

Claims 1-6, 19-21, 25, and 28 through 30 have been rejected under §102(b), as being anticipated by 5,367,584 to Ghezzi. Claims 1-2, 4-8, 19-21, and 30 have been rejected under §102(b), as being anticipated by 5,953,469 to Zhou. Claim 7 is rejected also under §103(a) as being obvious in light of Ghezzi as applied to claim 4. Claims 23-24 are rejected under §103(a) as being obvious in light of Ghezzi as applied to claim 19.

The Examiner states that claim 21 appears to be grammatically incorrect. The claim reads: “a driving device to change a configuration of the light adjustment member to modulate light propagated by the waveguide.” The Examiner believes that the word member should be plural, members. Claim 21 is amended herein to change “member” to “members” as suggested by the Examiner.

By the present Amendment, Applicant cancels claims 1, 3, 10-18, 20, 23 and 26-28.

Claims 4, 21 and 29 are amended herein to include the features of claims 26 and 27, respectively. Since the Examiner has indicated that claims 26 and 27 are allowable, Applicant submits that claims 4, 21, and 29 are allowable.

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Claims 2 and 19 are amended herein to depend from claim 4, and claim 24 is amended to depend from claim 19.

Applicant submits that claims 2, 5-8, 19 and 24 are allowable, at least because of their dependence from claim 4.

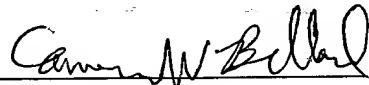
Claim 25 is rejected as being anticipated by Ghezzo. However, claim 25 depends from claim 9, which is allowed. Thus, claim 25 should be allowed, due to its dependence from allowed claim 9.

Claim 30 is allowable due to its dependence from claim 29.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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